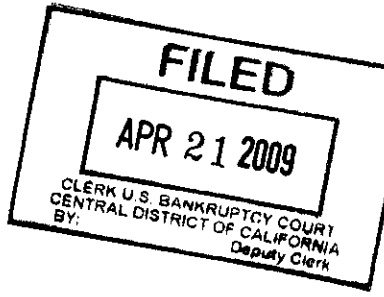


ORIGINAL

Attorney or Party Name, Address, Telephone & FAX Numbers, and California State Bar Number Jeffrey I. Golden, a Partner of WEILAND, GOLDEN, SMILEY, WANG EKVALL & STROK, LLP P.O. Box 2470 Costa Mesa, CA 92628-2470 Telephone: (714) 445-1013 Facsimile: (714) 966-1002	FOR COURT USE ONLY 
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA	
In re: DONALD WARREN MARSTON and ARCELI BRIONES CABATAY-MARSTON, Debtor(s).	CASE NO. 2:08-bk-16304-BR Chapter 7

NOTICE OF SALE OF ESTATE PROPERTY

Sale Date: May 12, 2009	Time: 10:00 a.m.
Location: 255 East Temple Street, Los Angeles, CA	

Type of Sale: ☐ Public ☒ Private Last date to file objections: April 28, 2009

Description of Property to be Sold: See attached Notice of Hearing on Motion for Order: (1) Authorizing Sale of Property of the Estate Pursuant to 11 U.S.C. § 363(b); (2) Approving Overbid Procedures; and (3) Approving Buyer, Successful Bidder, and Back-up Bidder as Good-Faith Purchaser Pursuant to 11 U.S.C. § 363(m) (the "Notice")

Terms and Conditions of Sale: See attached Notice

Proposed Sale Price: See attached Notice

Overbid Procedure (If Any): See attached Notice

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

Contact Person for Potential Bidders (include name, address, telephone, fax and/or e-mail address):

Jeffrey I. Golden, Chapter 7 Trustee

Weiland, Golden, Smiley, Wang Ekvall & Strok, LLP

P.O. Box 2470

Costa Mesa, CA 92628-2470

(714) 445-1013 (tel); (714) 966-1002 (fax)

Date: April 21, 2009

1 Jeffrey I. Golden, a Partner of
2 WEILAND, GOLDEN,
3 SMILEY, WANG EKVALL & STROK, LLP
4 P.O. Box 2470
5 Costa Mesa, California 92628-2470
6 Telephone: (714) 445-1013
7 Facsimile: (714) 966-1002

8 Chapter 7 Trustee

9 UNITED STATES BANKRUPTCY COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11 LOS ANGELES DIVISION

12 In re

13 DONALD WARREN MARSTON and
14 ARCELI BRIONES CABATAY-MARSTON,

15 Debtors.

Case No. 2:08-bk-16304-BR

Chapter 7 Case

16 NOTICE OF HEARING ON MOTION FOR
17 ORDER:

- 18 (1) AUTHORIZING SALE OF
19 PROPERTY OF THE ESTATE
20 PURSUANT TO 11 U.S.C. § 363(b);
21 (2) APPROVING OVERBID
22 PROCEDURES; AND
23 (3) APPROVING BUYER, SUCCESSFUL
24 BIDDER AND BACK-UP BIDDER AS
25 GOOD FAITH PURCHASER
26 PURSUANT TO 11 U.S.C. § 363(m)

DATE: May 12, 2009

TIME: 10:00 a.m.

CTRM: 1668

255 East Temple Street
Los Angeles, California

27 PLEASE TAKE NOTICE that Jeffrey I. Golden, the chapter 7 trustee (the
28 "Trustee") of the estate (the "Estate") of Donald Warren Marston (the "Debtor") and
Arceli Briones Cabatay-Marston (the "Joint Debtor") (together, the "Debtors") has filed a
motion for an order (the "Motion"):

- (1) approving the sale of (a) a claim for reimbursement for any appreciation
that occurred on the properties sold by the Debtor's ex-spouse during their
marriage (the "Contingent Claim"), and (b) the Estate's interest, if any, in
the remainder of the dissolution action between the buyer and the Debtor,
which includes all of the Debtor's marital property claims, including but not
limited to, marital property listed and not listed in Debtor's bankruptcy
schedules, as well as marital claims for reimbursements to and from the

community estate, which are the subject of the marital action, claims for reimbursements by either party against the other, and either party's claims for attorneys' fees and costs against each other incurred up through the date of execution of the Asset Purchase Agreement (the "Marital Claims") (the Contingent Claim and the Marital Claims are hereinafter referred to as the "Claims"), as-is, without any representation or warranty, pursuant to 11 U.S.C. § 363(b);

(a) to Margaret Pensanti, the Debtor's ex-spouse (the "Buyer") for \$14,935.95 (the "Purchase Price") pursuant to the terms of the Asset Purchase Agreement (the "Agreement") attached as Exhibit "1" to the Motion; or

(b) to the successful bidder whose purchase offer for the Claims exceeds the offer tendered by the Buyer by not less than \$1,000 and is accepted by the Trustee at the hearing on the Motion;

(2) approving the Buyer, the successful bidder, and the back-up bidder as a "good faith" purchaser under § 363(m) of the Bankruptcy Code;

(3) approving the overbid procedures set forth in the Motion as summarized below;

(4) authorizing the Trustee to take any and all necessary actions to consummate the sale of the Claims; and

(5) granting such other and further relief as this Court deems necessary and proper.

PLEASE TAKE FURTHER NOTICE that the Motion is scheduled for hearing in Courtroom 1668 of the above-entitled court located at 255 East Temple Street, Los Angeles, California, on **May 12, 2009, at 10:00 a.m.**

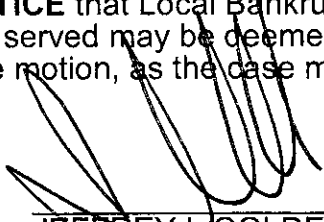
PLEASE TAKE FURTHER NOTICE that all overbids must be in writing and must be submitted to the Trustee no later than at the hearing.

PLEASE TAKE FURTHER NOTICE that the overbid procedures sought to be approved by the Court are as follows:

1. Any qualifying bidder ("Qualifying Bidder") shall:
 - a. bid at least \$15,935.95 in cash for the Claims;
 - b. set forth in writing the terms and conditions of the offer that are at least as favorable to the Trustee as those set forth in the Agreement attached as Exhibit "1" to the Motion;
 - c. be a party financially qualified, in the Trustee's exercise of his sound business judgment, to close the sale on a timely basis; and
 - d. submit an offer that does not contain any contingencies to closing the sale.

1 **PLEASE TAKE FURTHER NOTICE** that Local Bankruptcy Rule 9013-1(h)
2 provides: "Papers not timely filed and served may be deemed by the Court to be
3 consent to the granting or denial of the motion, as the case may be."

4 DATED: April 21, 2009



JEFFREY I. GOLDEN
Chapter 7 Trustee

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Verizon
Bankruptcy Department
404 Brock Drive
Bloomington, IL 61702

Account No. xxxx2516
American Honda Finance Po Box 1844 Alpraretta, GA 30023
Account No. xxxxxxxxxx3029
First Horizon Home Loans 4000 Horizon Way Attn: Bankruptcy Irving, TX 75063
Account No. xxxxxxxxxx2785
Indymac Bank Po Box 4045 Kalamazoo, MI 49009
Account No. xxxxxxxxxxxx1998
Wells Fargo Wells Fargo Home Mortgage Po Box 60510 Los Angeles, CA 90060

Account No. xxxxxx0901
Wescom Credit Union 123 S Marengo Ave Pasadena, CA 91101
Account No. xxxxxx0009
Wescom Credit Union 123 S Marengo Ave Pasadena, CA 91101
Account No. xxxxxx0102
Wescom Credit Union 123 S Marengo Ave Pasadena, CA 91101
Account No. xxxxxx0104
Wescom Credit Union 123 S Marengo Ave Pasadena, CA 91101

Account No.
IRS (Los Angeles County) Insolvency I Stop 5022 300 North Los Angeles St, Room 4062 Los Angeles, CA 90012-9903